

February 13, 2025

Wes Davis, PE
Director, Civil Site Design
Prime AE
8415 Pulsar Place, Suite 300
Columbus, Ohio 43240

RE: Stormwater Drainage Manual (SWDM) Type II Variance Request – Whittier Peninsula Development

Wes Davis:

This letter is in response to the subject variance request Type II (Non-Stream) to the SWDM Section 3.1 *Stormwater Control Practices - General Criteria*. More specifically, exemption is being sought from the SWDM Section 3.1 requirements prohibiting placement of Stormwater Control Practices (quantity) within the FEMA-designated 100-year floodplain.

The request was submitted to the City on January 17, 2025. As part of the Variance review process, the subject Variance request was posted on the City website on January 21, 2025 to solicit public comments. No public comments were received by the posted due date.

The Variance Review Committee has met and reviewed the initial submittal of the subject Variance Request on February 12, 2025.

The submitted Variance Request was found by the Variance Review Committee to be in general compliance with the SWDM Non-Stream Protection Type II Variance application requirements.

Three alternatives were considered within the application - Full Compliance, Minimal Impact and the Preferred Alternative.

- Full Compliance Alternative – Filling the site of the proposed detention basin to above FEMA 100-year Base Flood Elevation (BFE), applying and obtaining a LOMR-F approval from FEMA thus removing this area from the floodplain boundary, and then placing a detention basin within this area by excavating it below the BFE. This Alternative has been found to be not viable due to economic hardship, in addition to potential regulatory issues with FEMA floodplain regulations.
- Minimal Impact Alternative – Minimizes the proposed fill on the site. The site would remain within the floodplain boundaries. The resulting horizontal and vertical site layout would present functional difficulties in terms of ingress/egress, requiring a Building Commission variance from the Floodplain Code requirements. From the SWDM compliance perspective, this Alternative is similar to the Preferred Alternative.



- Preferred Alternative – the proposed detention basin needed for providing water quantity controls for the development will be placed within the regulatory 100-year FEMA floodplain. The project would be fully compliant with the SWDM water quantity and quality requirements with the exception of the Stormwater Control Practice (quantity) location within the floodplain. The project would also be fully compliant with the City Floodplain Code regulations.

Upon reviewing and discussing the application submitted by the applicant, the Variance Review Committee agreed with the applicant that the Preferred Alternative represents a viable development plan showing the development team's good faith effort to comply with the applicable SWDM requirements. The Committee further agreed with the applicant's argument that both the Full Compliance and the Minimal Impact Alternatives would impact functional and economic viability of the proposed project to a point of making it infeasible.

After considering pros and cons of the above alternatives, and based on the recommendation of the Variance Review Committee, the Preferred Alternative is conditionally approved contingent upon the following stipulations:

- CC- plan and corresponding Stormwater Management Report must be submitted and approved by the City of Columbus.
- The proposed detention basin top of bank elevation to be 12 inches above the BFE, with a backwater prevention device at the basin's outlet.
- The volume of the basin between the OHWM (Ordinary High Water Mark) and BFE above the existing grade, including its embankment, will require compensatory storage.
- The proposed design must be fully compliant with the appropriate OEPA and Federal regulations, including, but not limited to Ohio Administrative Code (OAC) Chapter 3745-513 as applicable
- The proposed Stormwater Control Practice outlet must be fully compliant with the SWDM Section 2.3.7 requirements if a level spreader is proposed.

No approval contained herein relieves or absolves the applicant of any provisions of applicable state or federal laws. Please contact PR/SRM Section Manager Greg Fedner, P.E. at 614-645-8072 with any questions.

Sincerely,



Robert S. Priestas, P.E., Administrator
Division of Sewerage and Drainage

ec: Variance Review Committee
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